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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 19-0280 RS
)	
Plaintiff,)	STIPULATION TO EXCLUDE TIME FROM
)	NOVEMBER 15, 2021 THROUGH JANUARY 10,
v.)	2022; AND ORDER
)	
ROGELIO BELLOSO ALEMAN, et al.,)	
)	
Defendants.)	

It is hereby stipulated by and between counsel for the United States and counsel for all defendants except for Fernando Romero Bonilla, that time be excluded under the Speedy Trial Act from November 15, 2021 through January 10, 2022.

The parties appeared before the district court for a status conference on November 15, 2021. This was the tenth district court appearance before this Court in which all of the defendants' counsel or their representatives appeared.¹ Due to the ongoing public health emergency and the corresponding

¹ Defendant Reyes Melendez and/or his counsel individually appeared before the District Court at several other hearings before the return of the Superseding Indictment that charged the other
STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
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rules and procedures set forth in General Orders 72, 73, and 74, the hearing was conducted by Zoom videoconference without the defendants present. At the end of the hearing, the Court set a further status with all of the defendants' counsel on January 10, 2022, at 10:00 a.m., again via Zoom, and requested that the parties submit a proposed order regarding the exclusion of time under the Speedy Trial Act.

Because the discovery process is ongoing, the government and counsel for the defendants other than Romero Bonilla (who objects) agree that time should be excluded under the Speedy Trial Act so that defense counsel may prepare, including by reviewing discovery and making arrangements to consult with their clients. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further agree that this case is so complex, due to the number of defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings and for the trial itself within the otherwise-applicable time limits, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii). For these reasons and as further stated on the record during court appearances, the parties stipulate and agree that time should be excluded under the Speedy Trial Act through January 10, 2022.

The undersigned Assistant United States Attorneys certify that they have obtained approval from counsel for the defendants listed below to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: January 4, 2022

/s/
ANDREW M. SCOBLE
ASEEM PADUKONE
Assistant United States Attorneys

DATED: January 4, 2022

/s/
GEORGE BOISSEAU
Counsel for Rogelio Belloso Aleman

DATED: January 4, 2022

/s/
PETER ARIAN
Counsel for Edwin Alvarado Amaya

DATED: January 4, 2022

/s/
KENNETH WINE
Counsel for Kenneth Campos

defendants.

STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
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v. 7/10/2018

1 DATED: January 4, 2022

/s/

BRIAN BERSON
Counsel for Evert Galdamez Cisneros

3 DATED: January 4, 2022

/s/

JEFFREY BORNSTEIN, CAROLINE JACKSON
Counsel for Luis Velis Diaz

5 DATED: January 4, 2022

/s/

ROBERT WAGGENER
Counsel for Kevin Reyes Melendez

7 DATED: January 4, 2022

/s/

MARTIN SABELLI
Counsel for Elmer Rodriguez

9 DATED: January 4, 2022

/s/

MARK VERMEULEN
Counsel for Kevin Ramirez Valencia

11 DATED: January 4, 2022

/s/

DENA YOUNG
Counsel for Kevin Guatemala Zepeda

ORDER

Based upon the facts set forth in the stipulation of the parties, except for Defendant Fernando Romero Bonilla (who objects to an exclusion), and for good cause shown, the Court finds that failing to exclude the time from November 15, 2021 through January 10, 2022 would unreasonably deny defense counsel and the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that this case is so complex, due to the number of defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings and for the trial itself within the otherwise-applicable time limits, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).

The Court concludes that the ends of justice served by excluding the time from November 15, 2021 through January 10, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial. Therefore, with the consent of all parties except Defendant Alvarado Amaya and notwithstanding the objection lodged by his counsel, IT IS HEREBY ORDERED that the time from November 15, 2021 through January 10, 2022 shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), (B)(iv), for all defendants.

IT IS SO ORDERED.

DATED: January 4, 2022


HON. RICHARD SEEBORG
Chief United States District Judge